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10 Attorneys for OCEANO PACKING COMPANY, LLC

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12 **IN THE UNITED STATES DISTRICT COURT**
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14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

15 ASA FARMS, INC., a California corporation and
16 BRAGA RANCH

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18 Plaintiffs,

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20 v.

21 FRESH 'N HEALTHY, INC., a Delaware
22 corporation, MARK WILLIAMS, an individual;
23 JACK PARSON, an individual; STEVEN CINELLI,
24 an individual; CHAD HAGEN, an individual;
25 SANTOS MARTINEZ, an individual; DON BEAM,
26 an individual; DARRYL NICHOLSON, an
27 individual; RICHARD MAY, an individual;
28 THOMAS COLOGNA, an individual; PRESTWICK
PARTNERS, LLC, a California limited liability
company; SOLSTICE VENTURE PARTNERS,
LLC, a business entity form unknown; VFINANCE
INVESTMENTS, a business entity form unknown;
FMP VINEYARD, LLC, a New Mexico limited
liability company; BUTTONWOOD OPTION,
LLC, a business entity form unknown; DW, LLC, a
business entity form unknown; M SOLAZZO
TRUST 2002; P. SOLAZZO 1998; GIBBONS
FAMILY TRUST; BIXLER TRUST;
STEIGERWALD TRUST and CARTER TRUST,
COMERICA BANK and DOES 2 through 50,
inclusive,

Defendants

Case No. C08-00122JF

**EX PARTE APPLICATION FOR ORDER
SHORTENING TIME FOR HEARING
ON MOTION TO INTERVENE**

Oceano Packing Company, LLC ("OCEANO") hereby respectfully requests an order shortening time for hearing on its Motion to Intervene ("Motion"), which was filed on February 27, 2008. OCEANO requests the following shortened briefing and hearing schedule for the Motion:

OCEANO filed the Motion:	February 27, 2008
Oppositions, if any, to be filed:	On or before March 4, 2008
OCEANO's Reply to be filed:	On or before March 6, 2008
Hearing on the Motion:	March 7, 2008

This application is made pursuant to Civil Local Rules (Civ.L.R.) 6-1(b) and 6-3. Civ.L.R. 6-3(a) requires that an application to shorten time must be accompanied by a declaration which:

- (1) Sets forth with particularity, the reasons for the requested enlargement or shortening of time;
- (2) Describes the efforts the party has made to obtain a stipulation to the time change;
- (3) Identifies the substantial harm or prejudice that would occur if the Court did not change the time; and
- (4) If the motion is to shorten time for the Court to hear a motion:
 - (i) Describes the moving party's compliance with Civil L.R. 37-1(a), where applicable, and
 - (ii) Describes the nature of the underlying dispute that would be addressed in the motion and briefly summarizes the position each party had taken.
- (5) Discloses all previous time modifications in the case, whether by stipulation or Court order;
- (6) Describes the effect the requested time modification would have on the schedule for the case.

The matters required by Civ.L.R. 6-3(a) are set forth in the Declaration of Scott J. Allen in Support of Oceano Packing Co., LLC's ex Parte Application to Shorten Time for Hearing on Oceano's Motion to Intervene (the "Allen Decl.>").

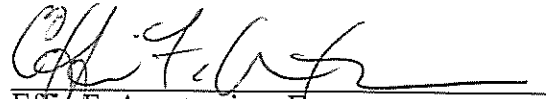
Accordingly, OCEANO respectfully submits that the application to shorten time should be granted.

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1 Dated: February 28, 2008

ANASTASSIOU & ASSOCIATES

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4 By: 
5 Effie F. Anastassiou, Esq.
6 Attorneys for Intervening Plaintiff
OCEANO PACKING COMPANY, LLC

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